

Exhibit “A”

SHERIFF'S ENTRY OF SERVICE

Marietta, Georgia COBB COUNTY

Superior Court ☐ State Court ☐

Attorney's Address

Justin Jones
 7505 Waters Ave
 B-5
 Savannah, Ga 31406

Civil Action No. ST. V. 22-01164

Date Filed _____

Name and Address of Party to be Served

The Kroger Company
1200 Peachtree St. NE
Atlanta, GA 30309

Garnishee

Plaintiff

vs.

The Kroger Company
C/O CSC of Cobb County

Defendant

PERSONAL

☐ I have this day served the defendant _____ personally with a copy of the within action and summons.

NOTORIOUS

☐ I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place of abode in this County.

☐ Delivered same into hands of _____ described as follows age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches; domiciled at the residence of defendant.

CORPORATION

☒ Served the defendant The Kroger Company a corporation by leaving a copy of the within action and summons with Tern Thompson - CSC of Cobb County in charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant _____ not to be found in the jurisdiction of this Court.

This 20 day of July, 2022

Sgt. Colson 94019
 DEPUTY

SHERIFF DOCKET _____ PAGE _____

COBB COUNTY, GEORGIA

WHITE: Clerk

CANARY: Plaintiff Attorney

PINK: Defendant

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6.

At all times material hereto, Defendant owned and/or was in control of The Kroger Company's store located at 495 Johnny Mercer Boulevard, Savannah, Georgia 31410 ("the premises").

7.

At all times material hereto, Defendant possessed the premises with the intent to occupy and control it and held it open to the public for business purposes.

8.

Based upon information and belief, on or about January 27, 2022, Defendant was operating a retail store on the premises.

9.

On or about January 27, 2022, Plaintiff entered said premises for the purpose of purchasing goods from the subject retail store.

10.

On or about January 27, 2022, upon entering said premises, Plaintiff held the legal status of an invitee as such term is defined under Georgia Law.

11.

On or about January 27, 2022, Plaintiff was shopping on the premises when he slipped on an unknown substance and suffered serious injury to his person.

12.

Because Defendant owned and operated the premises, it owed a legal duty of reasonable care to invitees to inspect and keep the premises in a safe condition and to warn invitees of hidden dangers or defects that were not discoverable in the exercise of reasonable care.

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13.

Before Plaintiff's fall, Defendant, by and through its employees, had actual or constructive knowledge of the hazardous condition which caused Plaintiff's fall.

14.

Before Plaintiff's fall, Plaintiff had no knowledge of the unsafe and dangerous condition and it was not discoverable by his in the exercise of reasonable care.

15.

At all relevant times hereto, Plaintiff exercised reasonable care for his own safety.

16.

Defendant breached its duty of reasonable care in one or more of the following respects in violation of O.C.G.A. § 51-3-1:

- a) Defendant failed to inspect the premises for dangerous conditions;
- b) Defendant failed to warn patrons of a dangerous condition it knew or should have known existed; and
- c) Defendant failed to remedy said dangerous condition when it knew or should have known it existed.

17.

As a direct and proximate result of Defendant's negligence, Plaintiff was forced to seek medical treatment.

18.

As a direct and proximate result of Defendant's negligence, Plaintiff was forced to incur medical expenses in an amount not less than \$11,700.95.

19.

As a direct and proximate result of Defendant's negligence, Plaintiff has endured significant pain and suffering.

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PRAYER FOR RELIEF

WHISEFORE, Plaintiff prays:

- a. That Defendant be served with summons, process, and a copy of this Complaint;
- b. For a trial by a jury;
- c. For judgment in favor of Plaintiff and against Defendant;
- d. That Plaintiff be awarded all special damages allowed by law in an amount to be proved at trial;
- e. That Plaintiff be awarded all general damages allowed by law in an amount to be determined by the enlightened conscience of a fair and impartial jury; and
- f. Such other and further relief as the Court deems just and proper.

This 12th day of July, 2022.

JUSTIN T. JONES, PC

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Savannah, Georgia 31406
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Attorney for Plaintiff

/s/ Justin T. Jones
JUSTIN T. JONES
Georgia Bar No. 155422